

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STOCKBRIDGE-MUNSEE COMMUNITY,

Plaintiff,

v.

Case No. 07-C-627

UNITED STATES CITIZENSHIP and
IMMIGRATION SERVICES,

Defendant.

ORDER

The plaintiff filed a complaint rehashing arguments it had made a year earlier in Case No. 06-C-989. That complaint was dismissed upon the defendant's motion after this court concluded it lacked subject matter jurisdiction to review the attorney general's discretionary determination that "golf club manager" was not a "specialty occupation": "I agree with the USCIS that the question of whether a position constitutes a 'specialty occupation' is a discretionary decision insulated from judicial review." (No. 06-C-989, Dkt. # 7 at 2.) The defendant in the present action has again filed a motion to dismiss along the same lines; as in the previous case, the plaintiff has not responded to the motion. For the reasons given in my earlier decision, the motion to dismiss will be granted for lack of subject matter jurisdiction.

SO ORDERED this 7th day of January, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge